



PATENT  
5259-03702

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*T.A.*  
*10-2-03*  
*HE SJ*  
*Terminal*  
*Disclaim*

Application No.: 10/015,206  
Confirmation No.: 7051  
Filing Date: November 19, 2001  
Inventors: Freid et al.  
Title: SYSTEM AND METHOD  
FOR STABILIZING THE  
HUMAN SPINE WITH A  
BONE PLATE

§ Examiner: P. Philogene  
§ Art Unit: 3732  
§ Atty. Dkt. No.: 5259-03702/EBM

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UNDER 37 C.F.R. §1.8  
DATE OF DEPOSIT: 9-17-03  
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*Jackie L. Pire*  
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OVER A PRIOR PATENT**

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1. Applicant is the owner of all rights in the captioned patent application. Applicant certifies that it is the assignee of the entire right, title and interest in the captioned patent application by virtue of an assignment from the inventors of the captioned patent application, the assignment recorded with the Patent and Trademark Office at Reel 010732, Frame 0443.
2. Applicant is the owner of all rights in U.S. Patent No. 6,331,179. Applicant certifies that it is the assignee of the entire right, title and interest in U.S. Patent No. 6,331,179 by virtue of an assignment from the inventors of the patent, the assignment recorded with the Patent and Trademark Office at Reel 010732, Frame 0443.
3. As sole owner in the captioned patent application, Applicant hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the captioned patent application, which would extend beyond the expiration date of the full statutory term defined in 35

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U.S.C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,331,179.

4. Applicant hereby agrees that any patent so granted on the captioned patent application shall be enforceable only for and during such period that it and U.S. Patent No. 6,331,179 are commonly owned. This agreement runs with any patent granted on the captioned patent application and is binding upon the grantee of such patent, and its or his successors or assigns.

5. In making the above disclaimer, Applicant does not disclaim the terminal part of any patent granted on the captioned patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of U.S. Patent No. 6,331,179, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

6. A fee authorization for the required fee is enclosed.

By: 

Eric B. Meyertons

Date: 9-17-03

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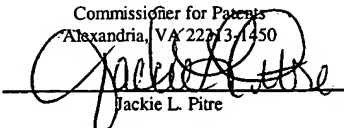


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FEE AUTHORIZATION

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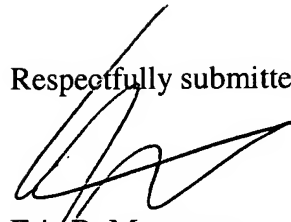
The Commissioner is hereby authorized to charge the following fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5259-03702/EBM:

1. Terminal Disclaimer Fee	\$110.00
2. Two month extension of time	\$410.00

TOTAL AMOUNT: \$520.00

The Commissioner is also authorized to charge any extension fee or other fees that may be necessary to the same account number.

Respectfully submitted,



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Date: 9-17-03



COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C.

Inventor: Jim Freid, Michael E. Landry and Erik J. Wagner  
Filing Date: November 19, 2001

Title: SYSTEM AND METHOD FOR STABILIZING THE HUMAN SPINE  
WITH A BONE PLATE

Atty. Dkt. No.: 5259-03702/EBM

The date stamp of the mail room of the U.S. Patent and Trademark Office hereon will acknowledge receipt of the following:

- ☒ Utility Patent Application Transmittal Form
- 1 page Title page
- 23 pages Specification
- 21 pages Claims (Claims 1-130)
- 1 page Abstract
- 11 sheets Drawings (Figures 1-23)
- ☒ Copy of Declaration
- ☒ Copy of Assignment
- ☒ Copy of Notice of Recordation
- ☒ Information Disclosure Statement
- ☒ 2 pages of Form PTO-1449
- ☒ Preliminary Amendment (11 pages)
- ☒ Return Postcard
- ☒ Fee authorization form in the amount of \$850.00 for filing fees

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